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6	Attorneys for Defendants, COUNTY OF CONTRA COSTA,	
7	CONTRA COSTA COUNTY IN-HOME SUPPPORT SERVICES PUBLIC AUTHORITY	
8	(incorrectly sued herein as IHSS PUBLIC AUTHORITY),	
9	and JOHN COTTRELL	~
10	UNITED STATES DISTRICT COURT	
11	NORTHERN DISTRICT OF CALIFORNIA	
12		
13	GLORIA DELLAFOSSE,	Case NO. C 07 3948
14	Plaintiff,	DECLARATION OF ANDREA S. CARLISE IN
15	VS.	SUPPORT OF REPLY BRIEF CONCERNING DEFENDANTS' MOTION TO DISMISS FOR
16	1.5	FAILURE TO STATE A CLAIM UPON WHICH
17	COUNTY OF CONTRA COSTA, IHSS PUBLIC AUTHORITY, JOHN COTTRELL,	RELIEF CAN BE GRANTED (FRCP 12(b)(6)), AND IN THE ALTERNATIVE, MOTION FOR
18	EXECUTIVE DIRECTOR, DOES 1 to 100,	SUMMARY JUDGMENT (FRCP 56) OR
19	Defendants.	MOTION FOR A MORE DEFINITE STATEMENT
20		
21		Date: March 21, 2008
22	1.	Time: 9:00 a.m.
		Courtroom: 7, 19 th Floor Judge: The Hon. Maxine M. Chesney
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24		
25	I, ANDREA CARLISE, declare and state as follows:	
26	1. I am a partner with the law firm of Patton ♦ Wolan ♦ Carlise, LLP, attorneys of record for	
27	record for defendants, COUNTY OF CONTRA COSTA, CONTRA COSTA COUNTY IN-HOME	

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SUPPORT SERVICES PUBLIC AUTHORITY, and JOHN COTTRELL, in this action.

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- I have personal knowledge of the matters stated herein, and if called as a witness, I would 2. and could competently testify thereto.
- On Thursday, February 28, 2008, Plaintiff's counsel's assistant, Susan Spikes, left me 3. a telephone message indicating that Plaintiff's counsel, John Taylor, was extremely ill and was requesting a continuance on the hearing on Defendants' motion to dismiss in this action to allow him time to prepare his opposition to the motion which was due to be filed on or before February 29, 2008. I replied to Ms. Spikes with an e-mail, because I could not get through on the telephone, to tell her that I would be willing to continue the hearing on the motion for two weeks. A true and correct copy of my email to Ms. Spikes is attached hereto as Exhibit 1.
- 4. The following day, February 29, 2008, the date on which Plaintiff's opposition brief was due, Ms. Spikes prepared a stipulation which I signed and returned to her. A true and correct copy of this stipulation is attached hereto as Exhibit 2.
- It was my understanding that Ms. Spikes would be filing the stipulation as soon as 5. possible, but we have been informed by Mr. Taylor's office that the stipulation was not filed until vesterday, March 6, 2008. It is my understanding that the Stipulation has not made it to the Court's docket, nor have we received a notice from E-filing indicating that it has been filed.
- 6. To date, no opposition to the motion to dismiss has been filed. Defendants are willing to proceed with the hearing of their motion to dismiss as stipulated on April 4, 2008 if the court is willing to continue the hearing to that date. If the hearing date is moved to April 4, 2008, Plaintiff's Opposition Brief will be due to be filed by March 14, 2008, and Defendants' Reply Brief will be due to be filed by March 21, 2007.
- 7. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 7th day of March, 2008 at Oakland, California.

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